

Assembly Bill No. 1347

CHAPTER 288

An act to amend Section 65865 of the Government Code, relating to development projects.

[Approved by Governor September 3, 2003. Filed with Secretary of State September 4, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1347, Maze. Development agreements.

Under the Planning Zone Law, a city, county, or city and county may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property governing the permitted uses of the property. A city, county, or city and county may receive from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements. Existing law prescribes procedures to be followed by local agencies regarding the handling of fees imposed for public improvements in connection with development projects.

This bill would require a city, county, or city and county to comply with those procedures with regard to any fee it receives or costs it recovers in connection with a development agreement.

The people of the State of California do enact as follows:

SECTION 1. Section 65865 of the Government Code is amended to read:

65865. (a) Any city, county, or city and county, may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property as provided in this article.

(b) Any city may enter into a development agreement with any person having a legal or equitable interest in real property in unincorporated territory within that city's sphere of influence for the development of the property as provided in this article. However, the agreement shall not become operative unless annexation proceedings annexing the property to the city are completed within the period of time specified by the agreement. If the annexation is not completed within the time specified in the agreement or any extension of the agreement, the agreement is null and void.



(c) Every city, county, or city and county, shall, upon request of an applicant, by resolution or ordinance, establish procedures and requirements for the consideration of development agreements upon application by, or on behalf of, the property owner or other person having a legal or equitable interest in the property.

(d) A city, county, or city and county may recover from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements.

(e) For any development agreement entered into on or after January 1, 2004, a city, county, or city and county shall comply with Section 66006 with respect to any fee it receives or cost it recovers pursuant to this article.

